

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

Larry Frederick Smith, Jr.,

Case No. 3:24-cv-1298

Plaintiff

v.

ORDER OF DISMISSAL

Raymond A. Grogan, Jr., et al.,

Defendants

Pro se Plaintiff Larry Frederick Smith, Jr. filed a prisoner complaint in this case for violation of civil rights. (Doc. No. 1). But he did not pay the filing fee or file a motion to proceed *in forma pauperis*. Accordingly, in an Order dated September 12, 2024, sent to Plaintiff at the address he provided, Plaintiff was ordered either to pay the filing fee of \$405 or to file an application to proceed *in forma pauperis* in order to proceed with the case. (See Doc. No. 2). The Order afforded Plaintiff 30 days from the date of the Order to comply and expressly notified Plaintiff that his case may be dismissed without further notice if he failed to do so.

To date, Plaintiff has not complied with the Court's deficiency order, and the mailing has not been returned as "undeliverable." Accordingly, I now dismiss this action without prejudice for want of prosecution. *See Davis v. United States*, 73 F. App'x 804 (6th Cir. 2003) (affirming dismissal of inmate's *in forma pauperis* action where inmate failed to comply with deficiency order); *May v. Pike Lake State Park*, 8 F. App'x 507, 508 (6th Cir. 2001) (affirming dismissal of *pro se* case for want of prosecution where the plaintiff failed to comply with court's "readily comprehended" deficiency order).

I further certify, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal from this dismissal could not be taken in good faith.

So Ordered.

s/Jeffrey J. Helmick
United States District Judge